

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
KMH-018

In Re Application Of: Moura, et al.

#5

Serial No.
09/110,135

Filing Date
July 6, 1998

Examiner
S. Hom or F. Duong

Group Art Unit
2732

Title: Asymmetric Hybrid Access System and Method

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is: Request to Correct Filing Receipt and Designation of Applicants' Representative

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.

TO THE ASSISTANT COMMISSIONER FOR PATENTS
AUG 27 1999
RECEIVED


Signature

Dated: August 26, 1999

I certify that this document and fee is being deposited
on August 27, 1999 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

 8/27/99
Signature of Person Mailing Correspondence

Lawrence Harbin

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
MOURA et al.

Appln. No.: 09/110,135



Filed: July 6, 1998

Examiner: Shick Hom or Frank Duong

Title: ASYMMETRIC HYBRID ACCESS
SYSTEM AND METHOD

* * * * *

August 26, 1999

**REQUEST TO CORRECT FILING RECEIPT
AND DESIGNATION OF APPLICANT'S REPRESENTATIVE**

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Request is made to correct the above-identified application to reflect its "continuation" status. Also, request is made to correct the name of applicants' legal representative.

As support, the transmittal sheet (attached) filed with this case on July 6, 1998 designated the present application as a continuation of Serial No. 08/700,988 (filed 8/21/96). A copy of the filing receipt of in Serial No. 08/700,988 is attached. The inventor entity of this latter application was corrected by examiner's decision mailed 6/11/99 (attached) to add additional inventors' names.

Also, a new power of attorney was submitted in Serial No. 08/700,988 on November 12, 1998, a copy of which is also attached.

Accordingly, the filing receipt in the referenced application should (i) reflect its continuation status, (ii) the corrected inventive entity, and (iii) the name and address of applicants' current legal representative.

Respectfully submitted,

By 

Lawrence Harbin, Reg. No. 27,644
KILE McINTRYE & HARBIN
1101 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: (202) 639-1260
Fax: (202) 639-1299

Please type a plus sign (+) inside this box → ☒



PTO/SB/05 (1/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|--|--|
| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | Attorney Docket No. | 27459-803/988 |
| | First Inventor or Application Identifier | Eduardo J. Moura |
| | Title | ASYMMETRIC HYBRID ACCESS SYSTEM AND METHOD |
| | Express Mail Label No. | |

| APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small> | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 |
|--|---|
| 1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing) | 6. <input type="checkbox"/> Microfiche Computer Program (Appendix) |
| 2. <input checked="" type="checkbox"/> Specification [Total Pages 44] (preferred arrangement set forth below) <ul style="list-style-type: none">- Descriptive title of the invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to Microfiche Appendix- Background of the invention- Brief Summary of the invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure | 7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy)c. <input type="checkbox"/> Statement verifying identity of above copies |
| 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 20] | |
| 4. Oath or Declaration [Total Pages 1] <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]<ul style="list-style-type: none">i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b). | |
| 5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein. | |
| 17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 08 / 700,988 Prior application information: Examiner Shick Hom Group / Art Unit: 2732 | |

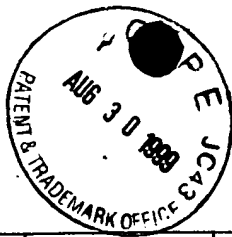
| ACCOMPANYING APPLICATION PARTS | |
|---|--|
| 8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) | |
| 9. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney | |
| 10. <input type="checkbox"/> English Translation Document (if applicable) | |
| 11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations | |
| 12. <input checked="" type="checkbox"/> Preliminary Amendment | |
| 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) * Small Entity | |
| 14. <input type="checkbox"/> Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired (PTO/SB/09-12) | |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) | |
| 16. <input checked="" type="checkbox"/> Other: Formal Drawings on A4 paper | |
| * A new statement is required to be entitled to pay small entity fees, except where one has been filed in a prior application and is being relied upon. | |

| | | | | | |
|---|--|-----------|--------------|----------|--------------|
| 18. CORRESPONDENCE ADDRESS | | | | | |
| <input type="checkbox"/> Customer Number or Bar Code Label <input checked="" type="checkbox"/> Correspondence address below | | | | | |
| Name | Attorney Lawrence Harbin | | | | |
| Address | Kile, McIntyre & Harbin 1101 Pennsylvania Ave., N.W., Suite 800 | | | | |
| City | Washington, DC | State | | Zip Code | 20004 |
| Country | U.S. | Telephone | 202-639-1275 | Fax | 202-639-1299 |

| | | | |
|-------------------|--------------------------|-----------------------------------|--------|
| Name (Print/Type) | Jerome D. Jackson | Registration No. (Attorney/Agent) | 33,186 |
| Signature | <i>Jerome D. Jackson</i> | Date | 7/6/98 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTORNEY DOCKET NO. | DRWGS | TOT CL | IND CL |
|--------------------|-------------|--------------|---------------|---------------------|-------|--------|--------|
| 08/700,988 | 08/21/96 | 2732 | \$375.00 | 225015 | 20 | 1 | 1 |

LAWRENCE HARBIN
FARKAS & MANELLI, P.L.L.C.
1233 20TH STREET, SUITE 700
WASHINGTON DC 20036-2396

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) EDUARDO J. MOURA, SAN JOE, CA; JAN M. GRONSKI,
PALO ALTO, CA; ROBERT L. PACKER, LOS GATOS, CA; ROBERT A.
LUXENBERG, WOODSIDE, CA; FREDERICK ENNS, MENLO PARK, CA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A DIV OF 08/426,920 04/21/95 PAT 5,586,121

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 09/28/96 ** SMALL ENTITY **
TITLE
HYBRID ACCESS SYSTEM WITH REMOTE DEVICE MONITORING SCHEME.

PRELIMINARY CLASS: 370

RECEIVED
SEP 1 1996
TECHNICAL STAFF

DATA ENTRY BY: SMALLWOOD, EAON

TEAM: 08 DATE: 07/29/99

|||||

(See reverse for new important information)

Art Unit: 2603

DETAILED ACTION

1. In view of the papers filed 10-15-98, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by including three additional inventors Frederick Enns, Robert L. Packer, and Robert A. Luxenberg.

2. Also in view of the papers filed 10-15-98, the inventorship in this nonprovisional application has been changed in compliance with 37 CFR 1.48(b) by the deletion of Frederick Enns.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected. The corrected inventive entity is: Eduardo J. Moura, Jan M. Gronski, Robert L. Packer, and Robert A. Luxenberg.

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Art Unit: 2603

Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications
intended for entry)

Or:

(703) 308-5403, (for informal or draft
communications, please label "PROPOSED" or
"DRAFT")

Hand-delivered responses should be brought to Crystal
Park II, 2021 Crystal Drive, Arlington. VA., Sixth
Floor (Receptionist (703) 305-4700).

Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Shick Hom
whose telephone number is (703) 305-4742.

Application/Control Number: 08/700,988

Page 4

Art Unit: 2603

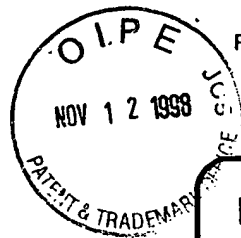
Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4750.

A handwritten signature in black ink, appearing to read "Douglas W. Olms". The signature is written in a cursive, flowing style.

DOUGLAS W. OLMS
SUPERVISORY PATENT EXAMINER
GROUP 2700

SH

May 26, 1999



Please type a plus sign (+) inside this box ☐



COPY

PTO/SB/81 (11-96)

Approved for use through 6/30/99. OMB 0651-0035

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT,
NOT ACCOMPANYING
APPLICATION**

| | |
|------------------------|--------------|
| Application Number | 08/700,988 |
| Filing Date | 8/21/96 |
| First Named Inventor | Moura et al. |
| Group Art Unit | 2732 |
| Examiner Name | Shick Hom |
| Attorney Docket Number | KMH 018 |

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner(s) named below:

| Name | Registration Number |
|-------------------|---------------------|
| Lawrence Harbin | 27,644 |
| Bradford E. Kile | 25,223 |
| Jerome D. Jackson | 33,186 |
| Derek S. Jennings | 41,473 |
| Richard A. Sterba | 43,162 |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Place Customer
Number Bar Code
Label here

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

| | | | | | |
|---|---|-------|--------------|-----|-------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Lawrence Harbin | | | | |
| Address | Kile McIntyre & Harbin | | | | |
| Address | 1101 Pennsylvania Avenue, N.W., Suite 800 | | | | |
| City | Washington | State | DC | ZIP | 20004 |
| Country | USA | | | | |
| Telephone | 202.639.1260 | Fax | 202.639.1299 | | |

I am the:

☐ Applicant.

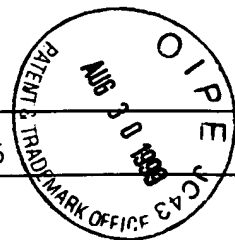
☒ Assignee of record of the entire interest
Certificate under 37 CFR 3.73(b) is enclosed

SIGNATURE of Applicant or Assignee of Record

| | |
|-----------|--------------------------------------|
| Name | Frederick Enns, Vice President & CTO |
| Signature | |
| Date | November 4, 1998 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

STATEMENT UNDER 37 CFR 3.73(b)



Applicant/Patent Owner: Moura et al.

Application No./Patent No.: 08/700,988 Filed/Issue Date: 8/21/96

Entitled: HAS with Remote Device Monitoring Scheme

Hybrid Networks, Inc.

, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7493, Frame 0486, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

November 4, 1998

Date

Frederick Enns
Signature

Frederick Enns

Typed or printed name

Vice President & CTO

Title

RECEIVED JUN 16 1999



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

08/700,988 08/21/96 MOURA

E 225015

LM51/0611

LAWRENCE HARBIN
FARKAS & MANELLI, P.L.L.C.
1233 20TH STREET, SUITE 700
WASHINGTON DC 20036-2396

EXAMINER

HOM, S

ART UNIT

PAPER NUMBER

2732

25

DATE MAILED:

06/11/99



Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

RECEIVED
JUN 16 1999
TC 2100 MAIL ROOM